

PROPOSED AMENDMENT TO CS REGULATIONS

Ref:	C S Regulations 13-007
Re:	Section F – Maternity Provisions – in particular F72 Statement of Intention & Annex F2, F81 Maternity Allowance (From DHSS) & Annex E2 Option to draw unabated pay form
Proposal:	To amend incorrect references from DHSS to Department of Social Care and Pensions Division Office of Human Resources to Public Sector Pensions Authority
Existing Regs:	<p>72. Statement of Intention</p> <p>Last updated: 15 December 2011 - Amendment no. <u>11-020</u></p> <p>...</p> <p>b) send a copy to the appropriate Pay Section and Pensions Division, Office of Human Resources;</p> <p>c) send a copy to the departmental HR Section (if applicable);</p> <p>d) send the original to the Office of Human Resources for retention on the officer's personal file;</p> <p>e) arrange for a letter of confirmation to be issued to the officer with 28 days of receipt of her notification (see model letter at <u>Annex F3</u>)</p> <p>Note: the Office of Human Resources must also be notified of the date of the officer's return to work. The appropriate Pay Section and the Pensions Division of the Office of Human Resources should also be notified of any unpaid leave taken by the officer</p> <p>Annex F2</p> <p>...</p> <p>(d) I undertake to repay, if asked to do so, any salary or wages paid to me in respect of the period of maternity/adoption leave, less the amount of any maternity/adoption allowance which the Department of Health and Social Security certifies I would have received in the absence of paid maternity/adoption leave, if I do not return to work in the Civil Service at the end of the period of maternity/adoption leave to which I am entitled and complete a further 13 weeks' paid service.</p> <p>...</p> <p>NOTE: A copy of the completed form should be retained by the line manager and copies sent to:</p> <p>a) the appropriate Pay Section and Pensions Division, Office of Human Resources;</p> <p>b) the departmental HR Section (if applicable);</p> <p>c) send the original to the Office of Human Resources for retention on</p>

	<p>the officer's personal file.</p> <p>81. Maternity Allowance (From DHSS)</p> <p>Officers may be eligible to claim maternity allowance from DHSS for a period of up to 39 weeks. Where this is granted during the period of full pay, the allowance will be deducted from pay. No allowance will be deducted during periods of half pay. No deductions will be made if the officer is not eligible to claim maternity allowance because their earnings are below the lower earnings threshold for National Insurance Contributions.</p> <p>In certain circumstances Maternity Allowance can be claimed from the DHSS for part of any absence from work beyond the period of maternity leave at full pay (except when the absence is covered by a medical certificate) and officers are advised to check the position with the DHSS.</p> <p>Officers who have completed the 'Option to Draw Unabated Sick/Maternity/Paternity Pay' form at <u>Annex E2</u>, to these Regulations, will be paid their full salary during periods of paid maternity leave as they have agreed not to claim maternity allowance in that option.</p> <p>Annex E2</p> <p>...</p> <p>3. I shall inform my pay section immediately if, despite signing this undertaking, I receive any incapacity benefit or maternity/adoption/paternity allowance under the Social Security Acts. I also authorise the Isle of Man Department of Health and Social Security to furnish my department with particulars of any sickness or injury benefit or allowance drawn by me unless I give the written notice referred to in 4(b) below.</p> <p>...</p>
<p>Proposed Amendment:</p>	<p>72. Statement of Intention</p> <p>Last updated: 15 December 2011 - Amendment no. <u>11-020</u></p> <p>...</p> <p>b) send a copy to the appropriate Pay Section and the Public Sector Pensions Authority Pensions Division, Office of Human Resources;</p> <p>c) send a copy to the departmental HR Section (if applicable);</p> <p>d) send the original to the Office of Human Resources for retention on the officer's personal file;</p> <p>e) arrange for a letter of confirmation to be issued to the officer with 28</p>

days of receipt of her notification (see model letter at [Annex F3](#))

Note: the Office of Human Resources must also be notified of the date of the officer's return to work. The appropriate Pay Section and **the Public Sector Pensions Authority** ~~the Pensions Division of the Office of Human Resources~~ should also be notified of any unpaid leave taken by the officer

Annex F2

...

(d) I undertake to repay, if asked to do so, any salary or wages paid to me in respect of the period of maternity/adoption leave, less the amount of any maternity/adoption allowance which the **Department of Social Care** ~~Department of Health and Social Security~~ certifies I would have received in the absence of paid maternity/adoption leave, if I do not return to work in the Civil Service at the end of the period of maternity/adoption leave to which I am entitled and complete a further 13 weeks' paid service.

...

NOTE: A copy of the completed form should be retained by the line manager and copies sent to:

- a) the appropriate Pay Section and **the Public Sector Pensions Authority** ~~Pensions Division, Office of Human Resources~~;
- b) the departmental HR Section (if applicable);
- c) send the original to the Office of Human Resources for retention on the officer's personal file.

81. Maternity Allowance (From **DSC DHSS)**

Officers may be eligible to claim maternity allowance from **DSC** DHSS for a period of up to 39 weeks. Where this is granted during the period of full pay, the allowance will be deducted from pay. No allowance will be deducted during periods of half pay. No deductions will be made if the officer is not eligible to claim maternity allowance because their earnings are below the lower earnings threshold for National Insurance Contributions.

In certain circumstances Maternity Allowance can be claimed from the DHSS for part of any absence from work beyond the period of maternity leave at full pay (except when the absence is covered by a medical certificate) and officers are advised to check the position with the **DSC** DHSS.

Officers who have completed the 'Option to Draw Unabated Sick/Maternity/Paternity Pay' form at [Annex E2](#), to these Regulations, will be paid their full salary during periods of paid maternity leave as

	<p>they have agreed not to claim maternity allowance in that option.</p> <p>Annex E2</p> <p>...</p> <p>3. I shall inform my pay section immediately if, despite signing this undertaking, I receive any incapacity benefit or maternity/adoption/paternity allowance under the Social Security Acts. I also authorise the Isle of Man Department of Social Care Department of Health and Social Security to furnish my department with particulars of any sickness or injury benefit or allowance drawn by me unless I give the written notice referred to in 4(b) below.</p> <p>...</p>
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Agreed and authorised by Joint Secretaries of JNC – n/a updating incorrect references to DHSS and Pensions Division, Office of Human Resources

for GOA Date

for CSC Date

I authorise the above amendment to be incorporated in the Civil Service regulations and to be uploaded on to the intranet.

An IOM Government All Staff notice prior to implementation is* / is not* required (please delete as appropriate)

Signed Amanda Haxby

PP **Head of Industrial Relations and Policy Section**

Instruction for implementation:

Passed to A. McFEE

By A. HAXBY Date 6/6/13

Date regs updated 17/6/13

Previous regulation amendment reference (if any) :	
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